

SHANKS & HERBERT

Intellectual Property Advocates

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Receipt

March 5, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application
Appl. No.: 09/760,897
Filed: January 17, 2001
For: **COMPOSITIONS AND METHODS FOR NON-TARGETED
ACTIVATION OF ENDOGENOUS GENES**
Inventors: Harrington et al.
Attorney Docket No.: 0221-0003OC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Request for Corrected Official Filing Receipt;
2. Copy of Utility Patent Application Transmittal for Appl. No. 09/515,124 filed February 25, 2000;
3. Copy of the Return Postcard for Appl. No. 09/515,124 with the date of mailing listed as February 25, 2000; and
4. Copy of the Official Filing Receipt with corrections in red.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS & HERBERT

Kristin K. Vidovich
Reg. No. 41,448

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Appl. S.N. 09/760,897
Atty. Docket No. 0221-0003OC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Harrington et al.

Art Unit: 1655

Appl. No. 09/760,897

Examiner: B. Forman

Filed: January 17, 2001

For: **COMPOSITIONS AND METHODS FOR
NON-TARGETED ACTIVATION OF
ENDOGENOUS GENES**

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REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant(s) hereby request(s) that a corrected Official Filing Receipt be issued and sent to the undersigned representative.

Specifically, it is noted that the following is incorrect on the present Official Filing Receipt:

1. Under the Domestic Priority data as claimed by applicant, the filing date of

February 27, 2000 for Appl. No. 09/515,124 is incorrect and should be

February 25, 2000 as shown on the certificate of mailing on the following

document filed on February 25, 2000 in conjunction with Appl. No.

09/515,124:

- a. Utility Patent Application Transmittal.

In support of the above request, a photocopy of the Official Filing Receipt is enclosed with the corrections noted in red, as well as a photocopy of the above-

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referenced document. Also enclosed is a copy of the Return Postcard for Appl. No. 09/515,124 with date of mailing listed as February 25, 2000.

It is therefore respectfully requested that a corrected Official Filing Receipt be issued and officially entered into the case, which reflects the correction of all the above-noted error(s). It is further requested that the corrected Official Filing Receipt be sent to the undersigned at the earliest possible time.

Respectfully submitted,

SHANKS & HERBERT

By: Kristin K. Vidovich
Kristin K. Vidovich
Reg. No. 41,448

Date: March 5, 2002

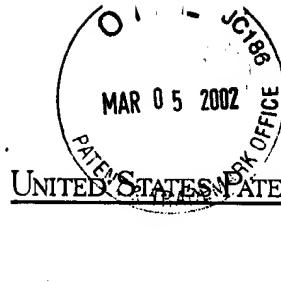
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/760,897	01/17/2001	1655	755	0221-00030 (C)	0	1	1

CONFIRMATION NO. 3522

FILING RECEIPT



OC000000007286115

SHANKS & HERBERT
 TransPotomac Plaza
 1033 N. Fairfax St., Suite 306
 Alexandria, VA 22314

Date Mailed: 01/09/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John J. Harrington, Mentor, OH;
 Bruce Sherf, Spencer, OH;
 Stephen Rundlett, Chagrin Falls, OH;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/515,124 02/27/2000 ABN
 WHICH IS A DIV OF 09/276,820 03/26/1999
 WHICH IS A CIP OF 09/263,814 03/08/1999 ABN
 WHICH IS A CIP OF 09/253,022 02/19/1999 ABN
 WHICH IS A CIP OF 09/159,643 09/24/1998 ABN
 WHICH IS A CIP OF 08/941,223 09/26/1997 ABN

Foreign Applications

If Required, Foreign Filing License Granted 05/07/2001

Projected Publication Date: WDOT

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

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Title

Compositions and methods for non-targeted activation of endogenous genes

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

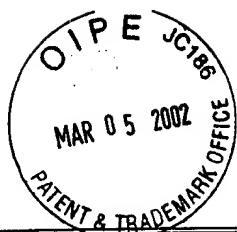
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NO GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12 if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No. 5817-7O
	First Inventor or Application Identifier: Harrington, <i>et al.</i>
	Title of Invention: COMPOSITIONS AND METHODS FOR NON-TARGETED ACTIVATION OF ENDOGENOUS GENES
	Express Mail Label No. EL039496210US

ADDRESS TO: ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, DC 20231

This is submitted herewith for filing in the United States Patent Office is a patent application for:

Inv. tors: John J. Harrington, Bruce Sherf, and Stephen Rundlett

1. The Filing Fee has been calculated as shown below:
(Submit an original, and a duplicate for fee processing)

No. Filed	No. Extra	Small Entity	Large Entity		
		Rate	Fee 1	Rate	Fee 0
BASIC FEE		\$ 345		\$0	
TOTAL CLAIMS: 8 - 20 =	0	X 9 = \$ 0		X 18 = \$0	
INDEP CLAIMS: 1 - 3 =	0	X 39 = \$ 0		X 78 = \$0	
[<input checked="" type="checkbox"/>] MULTIPLE DEPENDENT CLAIMS PRESENTED		+130 = \$ 130		+260 = \$	
*If the difference in Column 1 is less than zero, enter "0" in Column 2.		TOTAL \$ 475		TOTAL \$	

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16-605.

a. Fees required under 37 CFR 1.16 (National filing fees).
 b. Fees required under 37 CFR 1.17 (National application processing fees).
 A check in the amount of \$475 is enclosed.
 The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.

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2. Specification; Total Pages 166

3. 62 Sheets of Formal Drawing(s) (35 USC 113)

4. Declaration and Power of Attorney; *[Total Pages 2]*
a. Newly executed (original or copy)
b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 16 completed)
i. DELETION OF INVENTOR(S) Signed statement
attached deleting inventor(s) named in the prior
application, see 37 CFR 1.63(d)(2) & 1.33(b).

5. Microfiche Computer Program (Appendix)

6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
a. Computer Readable Copy
b. Paper Copy (identical to computer copy)
c. Statement verifying identity of above paper copy with
computer readable copy in prior application

ACCOMPANYING APPLICATION PARTS

7. Assignment Papers (cover sheet & document(s) (including \$40.00 fee)

8. 37 CFR 3.73(b) Statement (*when there is an assignee*); Power of Attorney

9. English Translation Document (*if applicable*)

10. Information Disclosure Statement (IDS)/PTO-1449

11. Preliminary Amendment

12. Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)

13. Small Entity Statement(s)
 Statement as filed in prior application; status still proper and desired.

14. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
Foreign Priority is

15. Other: _____

16. If a CONTINUING APPLICATION, check appropriate box and supply the requisite
information below and in a preliminary amendment:

Continuation Divisional Continuation in Part (CIP)
of prior Application No: 09/276,820; Filed March 26, 1999, which is a CIP of

09/263,814 filed 3/8/99, which is a CIP of 09/253,022 filed 2/19/99, which is a CIP of 09/159,643 filed 9/24/98,
which is a CIP of 08,941,223 filed 09/26/97

Prior Application Information: Examiner Ram Shukla Group/Art Unit: 1632

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label **000826**

Attention Of: Anne Brown

Signature: Anne Brown

Attorney of Record: Anne Brown

Attorney Registration No. 36,463

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P.O. Drawer 34009

Charlotte NC 28234-4009

"Express Mail" mailing label number EL039496210US

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Date of Deposit February 25, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner For Patents, Washington, DC 20231.

Nora C. Martinez

Nora C. Martinez

RTA01/2074308v1



Assistant Commissioner For Patents
Washington, DC 20231

Date Mailed: 02/25/00
Attkt. No. 5817-70

Kindly acknowledge receipt of the accompanying DIVISIONAL PATENT
APPLICATION with Application Transmittal Cover Sheet for:

Inventor(s): Harrington, *et al.*

Title of Invention: COMPOSITIONS AND METHODS FOR NON-
TARGETED ACTIVATION OF ENDOGENOUS GENES

Pages of Spec. (including claims and abstract) 166; No. of Claims 8

No. of Drawing Sheets 62; Declaration Enclosed Yes (2 pgs)

Small Entity Statement Enclosed (as filed in prior application);

IDS with PTO 1449 Enclosed Yes (25 pgs);

Other Documents: Revocation & Power of Attorney from Assignee; Certificate
Under 37 CFR § 3.73(b); Request for Transfer of Computer Readable Form of
Seq Listing; paper copy of Seq Listing (14 pages); Prelim Amendment (2 pgs)
Check Enclosed: \$475

Please place office stamp hereon and Return Postcard to : Nora Martinez/ARB
ALSTON & BIRD LLP

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